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Atty. Dkt. No. 071949-2404

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Kenneth F. Buechler, et al.

Title:

HYBRID PHTHALOCYANINE DERIVATIVES AND THEIR

USES

Appl. No.:

09/776,599

Filing Date: 02/01/2001

Examiner:

Jon D. Epperson

Art Unit:

1639

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited

with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below.

Germaine Sarda

(Printed Name)

December 2, 2003 (Date of Deposit)

INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR §1.56**

Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

Applicant submits herewith a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial Nos. 08/274,534, filed July 12, 1994; 08/409,298, filed 03/23/1995; 08/620,597, filed March 22, 1996 and 09/066,255, filed April 24, 1998. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to

antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits after the filing of a request for continued examination under §1.114.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

FOLEY & LARDNER

Customer Number: 30542

Telephone:

(858) 847-6722

Facsimile:

(858) 792-6773

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Barry S. Wilson Attorney for Applicant Registration No. 39,431



FORM PTO-1449	ATTY. DOLKET NO.	SERIAL NO.
LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	071949-2404	09/776,599
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EXAMINER INITIAL	<u> </u>	DOCUMENT NUMBER	DATE	NAME .	CLASS	SUB	FILING DATE
	AA	5,624,028	5/6/97	Tai et al.	435	6	11/3/93

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CE	Pariser et al., "A Semi-Empirical Theory of the Electronic Spectra and Electronic Structure of Complex Unsaturated Molecules. II," J. Chem. Phys. 21:767-776 (1953)
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EXAMINER:

DATE CONSIDERED:

EXAMINED: Initial if reference is considered, whether or not citation is in conformance with Mose con. 2